

REMARKS

The present application was filed on November 25, 1998 with claims 1-21. Claims 4, 11 and 18 were canceled in an Amendment filed on December 8, 2003. Claims 1-3, 5-10, 12-17 and 19-21 remain pending. Claims 1, 8 and 15 are the independent claims.

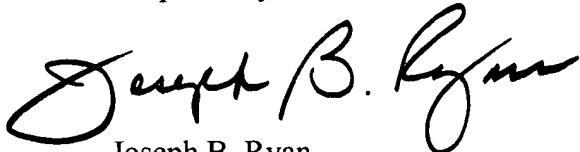
Claims 1-3, 5-10, 12-17 and 19-21 stand rejected under 35 U.S.C. §103(a).

Applicant respectfully traverses the §103(a) rejections for reasons similar to those set forth in the previous response filed November 22, 2004. The Examiner has substituted U.S. Patent No. 6,256,508 (hereinafter “Nakagawa”) for U.S. Patent No. 5,867,478 (hereinafter “Baum”). However, Applicant believes that the rejections remain deficient, particularly for lack of objective evidence of motivation to combine the multiple references that are relied upon.

Notwithstanding the traversal, Applicant has amended the claims to clarify the relationship between a set of orthogonal frequency division multiplexed carriers and a base-station specific spreading code. Support for the amendments can be found in FIGS. 12-15 of the drawings and the corresponding text in the specification. It should be noted in this regard that “a spreading code specific to at least a portion of the base station” may comprise, by way of illustrative example, a spreading code specific to a particular sector of the base station, or a spreading code specific to the base station as a whole.

In view of the above, Applicant believes that claims 1-3, 5-10, 12-17 and 19-21 are in condition for allowance, and respectfully requests the withdrawal of the §103(a) rejections.

Respectfully submitted,



Joseph B. Ryan
Attorney for Applicant(s)
Reg. No. 37,922
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-7517

Date: September 2, 2005